## REMARKS

This is in full and timely response to the non-final Official Action of October 31, 2005. Reexamination in light of the following remarks is respectfully requested. No new matter has been added. Claims 1-2, 4 and 7 are currently pending in this application, with claims 1, and 9-11 being independent.

At least for the reasons set forth below, Applicants respectfully traverse the foregoing rejection. Further, Applicants believe that there are also reasons other than those set forth below why the pending claims are patentable, and reserves the right to set forth those reasons, and to argue for the patentability of claims not explicitly addressed herein, in future papers.

### I. Rejection under 35 U.S.C. §103

Claims 1, 2, 4 and 7 have been rejected under 35 U.S.C. §103(a) as unpatentable over Goldhaber et al. (US Patent Application No. 5,855,008). Applicants respectfully traverse this rejection.

### Claim 1

Claim 1 is directed to a presentation method for providing advertisement information stored in a server to an exhibitor via a network comprising the steps of: requesting access to information stored in the server over the network; selecting advertisement information among information stored in the server when access is authorized; sending selected advertisement information from the server to the exhibitor over the network, wherein the selected advertisement information is a questionnaire, and a response to the questionnaire is communicated over the network from the audience to the server, and wherein the advertisement information sent to the exhibitor is transmitted to a movie theater and shown to the audience before or after a feature presentation as a digital motion picture projected from a movie projector.

The Office Action admits that "Goldhaber does not expressly show that the advertisement information sent to the exhibitor is transmitted to a movie theater and shown to

the audience before or after a feature presentation as a digital motion picture projected from a movie projector."

However, the Office Action asserts that "these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited.

Applicants believe that the words, "transmitted" and "shown" recited in the clause the Office Action refers to are functional, and therefore the "advertise information" is functionally involved in the recited steps. That is, the "advertisement information" is not only recorded in the server, but also transmitted to a movie theater and shown to the audience. Applicants believe that mere recitation of "advertisement information" does not make the limitation indistinguishable from prior art under MPEP §2106(IV)(B)(1).

Thus, Goldbaber et al. does not disclose, teach or suggest that the advertisement information sent to the exhibitor is transmitted to a movie theater and shown to the audience before or after a feature presentation as a digital motion picture projected from a movie projector. Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested.

If the allowance of claim 1 is not forthcoming at the very least and a new ground of rejection made, then a **new non-final Office Action** is respectfully requested.

**Claims 2, 4 and 7**

Also, Applicants submit that claims 2, 4 and 7 depending on claim 1 are also allowable for at least the reasons that claim 1 is allowable as discussed above. They are further allowable by reason of the additional limitations set forth therein. Accordingly, withdrawal of this rejection and allowance of the claims is respectfully requested.

**II. Newly Added Claims**

By the foregoing amendment, Applicants have added claims 9 -11 in order to claim various features of the invention. Since claims 9-11 recite similar features of claim 1, they are allowable for at least same reasons that claim 1 is allowable.

## III. Conclusion

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

The undersigned has been given limited recognition by the Director to prosecute as an attorney this application under 37 C.F.R. §10.9(a).

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. UDK-0001 from which the undersigned is authorized to draw.

Dated: January 31, 2006

Respectfully submitted,

By 

Toshikatsu Imaizumi
Registration No.: L0046 (Limited Recognition)
RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W.
Suite 501
Washington, DC 20036
(202) 955-3750
Attorney for Applicants